



# Immigration, Asylum and Nationality Act 2006

## 2006 CHAPTER 13

### *Appeals*

#### **9 Abandonment of appeal**

For section 104(4) of the Nationality, Immigration and Asylum Act 2002 ([c. 41](#)) (pending appeal: deemed abandonment) substitute—

- “(4) An appeal under section 82(1) brought by a person while he is in the United Kingdom shall be treated as abandoned if the appellant leaves the United Kingdom.
- (4A) An appeal under section 82(1) brought by a person while he is in the United Kingdom shall be treated as abandoned if the appellant is granted leave to enter or remain in the United Kingdom (subject to subsections (4B) and (4C)).
- (4B) Subsection (4A) shall not apply to an appeal in so far as it is brought on the ground relating to the Refugee Convention specified in section 84(1)(g) where the appellant—
- (a) is granted leave to enter or remain in the United Kingdom for a period exceeding 12 months, and
  - (b) gives notice, in accordance with any relevant procedural rules (which may include provision about timing), that he wishes to pursue the appeal in so far as it is brought on that ground.
- (4C) Subsection (4A) shall not apply to an appeal in so far as it is brought on the ground specified in section 84(1)(b) where the appellant gives notice, in accordance with any relevant procedural rules (which may include provision about timing), that he wishes to pursue the appeal in so far as it is brought on that ground.”